



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Asgeir Saebo et al.

Serial No.:

09/544,084

Filed:

04/06/00

Entitled:

Methods For Preparing CLA Isomers

Group No.:

1617

Examiner:

Wang, S.

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Assistant Commissioner for Patents Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 17, 2001

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$180.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in 37 C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: May 17, 2001

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415/705-8410

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Sir or Madam:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- U.S. Patent No. 5,585,400 to Cook, et al. on 12/17/96;
- U.S. Patent No. 5,674,901 to Cook, et al. on 9/30/97;
- U.S. Patent No. 5,430,066 to Cook, et al. on 7/4/95;
- U.S. Patent No. 5,554,646 to Cook, et al. on 9/10/96;
- U.S. Patent No. 5,428,072 to Cook, et al. on 6/27/95
- U.S. Patent No. 4,164,505 to Krajca on 8/14/79
- WO 97/46230
- WO 98/05318
- WO 98/05319

- WO 97/46118; and
- EP 779,033 A1
- Cowan, "Isomerization and Trans-Esterifiation," JAOCS 72:492-99 (1950)
- Christie et al., "Isomers in Commercial Samples of Conjugated Linoleic Acid,"
 JAOCS 74 (11):1231 (1997)
- Kepler et al., J. Biol. Chem. 241:1350-54 (1966)
- P.W. Parodi, J. Nutr. 127(6):1055-60 (1997)
- Belury, Conjugated Dienoic Linoleate: A Polyunsaturated Fatty Acid with
 Unique Chemoprotective Properties," Nut. Rev. 53(4):83-9 (1995)
- Ha et al., Cancer Res., 50:1097 (1991)
- Birt et al., Cancer Res., 52:2035-s (1992)
- Ip, Am. J. Clin. Nutr. 66(6):1523s (1997)
- Sehat *et al.*, "Silver-Ion High-Performance Liquid Chromatographic Separation and Identification of Conjugated Linoleic Acid Isomers," *Lipids* 33(2):217-21 (1998)
- Jie, et al., "High-Resolution Nuclear Magnetic Resonance Spectroscopy Amplification to Fatty Acids and Triacylglycerols," Lipids 32 (10): 1019-34
 (1997)
- Theil et al., "Conjugated Linoleic Acid Improves Performance and Body Composition in Swine," Iowa State University, Midwest Animal Sciences Meeting, Abstract 127:61 (1998)
- Haraldsson et al., Acta Chem Scanned 45:723 (1991)
- Chin et al., J. Nutrition 124:694 (1994)

Attorney Docket No. Conlinco-04286

Applicants have become aware of the following printed publications which may be material to the examination of this application:

- U.S. Patent No. 2,242,230 to Burr on 5/1941
- U.S. Patent No. 2,350,583 to Bradley on 6/1944
- U.S. Patent No. 3,162,658 to Baltes et al. on 12/1964
- U.S. Patent No. 3,278,567 to Rathjen et al. on 10/9166
- U.S. Patent No. 3,729,379 to Emken on 4/1973
- U.S. Patent No. 4,381,264 to Struve on 4/1983
- U.S. Patent No. 5,017,614 to Pariza *et al.* on 5/1991
- U.S. Patent No. 5,070,104 to Pariza et al. on 12/1991
- U.S. Patent No. 5,208,356 to Pariza et al. on 5/1993
- U.S. Patent No. 5,725,873 to Cook *et al.* on 3/1993
- U.S. Patent No. 5,760,082 to Cook *et al.* on 6/1998
- U.S. Patent No. 5,760,083 to Cook et al. on 6/1998
- U.S. Patent No. 5,856,149 to Pariza et al. on 01/05/99
- U.S. Patent No. 5,814,663 to Cook *et al.* on 09/29/98
- U.S. Patent No. 5,804,210 to Cook *et al.* on 09/08/98
- U.S. Patent No. 5,827,885 to Cook *et al.* on 10/27/98
- U.S. Patent No. 5,851,572 to Cook et al. on 12/22/98
- U.S. Patent No. 5,855,917 to Cook *et al.* on 01/05/99
- U.S. Patent No. 5,986,116 to Iwata et al. on 11/16/99
- U.S. Patent No. 5,885,594 to Nilsen *et al.* on 03/23/99
- U.S. Patent No. 5,288,619 to Brown et al. on 02/22/94
- U.S. Patent No. 5,468,887 to Gupta on 11/21/95
- WO 97/38137
- WO 97/18320
- WO 98/49129
- WO 96/34855
- WO 97/37546
- GB 558 881
- AU 25301

- Scholfield and Koritalia, "A Simple Method for Preparation of Methyl trans-10,cis-12 Octadecadienoate," *JOACS* 47(8):303 (1970)
- Ron Udell, Information About Conjugated Linoleic Acid, published by Soft Gel
 Technologies Incorporated
- Sugano *et al.*, "Conjugated Linoleic Acid Modulates Tissue Levels of Chemical Mediators and Immunoglobulins in Rats," *Lipids*, 33(5):521-27 (1998)
- Matreya Catalog, 1997, pp. 33-34
- Selin CLA Product Literature, 1/97
- Hudtwalcker & Co. AS Technical Data Sheet, exact publication date unknown
- Lipid Technology Newsletter, Peter J. Barnes, Ed., Vol. 4, No. 5, pp 85-86 (October, 1998)
- Natural Lipids Ltd. AS Technical Data Sheet, 1/20/97
- Quinn et al., "A Comparison of Modified Tall Oil and Conjugated Linoleic Acid on Growing-Finishing Pig Growth Performance and Carcass Characteristics," Kansas State University and Lonza, Inc., Midwest Animal Sciences Meeting, Abstracat 128:61 (1998)
- Dugan et al., "The Effect of Conjugated Linoleic Acid on Fat to Lean Repartitioning and Feed Conversion in Pigs," Canadian Journal of Animal Science 77:723-725 (1997)
- Shanta et al., "Conjugated Linoleic Acid Concentrations in Processed Cheese Containing Hydrogen Donors, Iron and Dairy - Based Additives," Food Chemistry 47:257-261 (1993)
- Bradley et al., "Alkali-Induced Isomerization of Drying Oils and Fatty Acids,"
 Ind. Eng. Chem. 34(2):237-242 (1942)
- Jie et al., "Synthesis and Nuclear Magnetic Resonance Properties of All Geometrical Isomers of Conjugated Linoleic Acids," Lipids 32(10):1041-1044 (1997)
- Arcos et al., "Rapid Enzymatic Production of acylglycerols from conjugated linoleic acid and glyerol in the solvent-free system," Biotechnology Letters 20:617 (1998)

- Holman et al., "Unusual Isomeric Polyunsaturated Fatty Acids in Liver
 Phospholipids of Rats Fed Hydrogenated Oil," PNAS 88:4830-34 (1991)
- Radlove et al., "Catalytic Isomerization of Vegetable Oils," Ind. Eng. Chem. 38(10):997-1002 (1946)
- Sebedio et al., "Linoleic Acid Isomers in Heat Treated Sunflower Oils," JAOCS 65(3):362-366 (1988)
- Sebedio et al., "Metabolites of Conjugated Isomers of Linoleic Acid (CLA) in the Rat," Biochem. Biophys. Acta 1345:5-10 (1997)
- Chin et al., "Dietary Sources of Conjugated Dienoic Isomers of Linoleic Acids, a Newly Recognized Class of Anticarcinogens," J. Food. Comp. Anal. 5:185-197 (1992)
- Park et al., "Effect of Conjugated Linoleic Acid on Body Composition in Mice," Lipids 32(8):853-58 (1997)
- Berdeau *et al.*, "A Simply Method of Preparation of Methyl *trans*-10, *cis*-12-and *cis*-9, *trans*-11-Octadecadienoates from Methyl Linoleate," *JAOCS* 75:1749-1755 (1998)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: May 17, 2001

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